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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,833	12/19/2001	Brian Walsh	1271-003/MMM	5678

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EXAMINER

SMITH, SHEILA B

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 11/22/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

10/024,833

Applicant(s)

WALSH ET AL.

Examiner

Sheila B. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Tarnanen (U. S. Patent Number 6,085,100).

***Regarding claim 1,*** Tarnanen discloses essentially all the claimed invention as set fourth in the instant application, further Tarnanen discloses routing a short message reply, in addition Tarnanen discloses A mobile telephone short text messaging method for transmitting short text messages of a message thread between short text messaging devices (MT) of an originating user (MO) and a recipient user, the originating user beginning the message thread with an originating short text message that is directed to the recipient user, the method comprising (which reads on column 4 lines 65-67 and column 5 lines 1-5): transmitting the originating short text message from the short text messaging device of the originating user to a short text messaging application (which reads on column 5 lines 9-13); correlating at the short text messaging application (GA) a message thread identifier with the originating short text message and a messaging address for the short text messaging device of the originating user (which reads on column 6 lines 24-35); transmitting the originating short text message to the short text messaging device of the recipient user and transmitting therefrom a reply short text message to the short text messaging application (which reads on column 6 lines 43-50); identifying the message thread identifier and the

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messaging address for the short text messaging device of the originating user corresponding to the reply short text message (which reads on column 6 lines 50-55); and transmitting reply short text message to the short text messaging device of the originating user (which reads on column 6 lines 54-57).

***Regarding claim 2***, Tarnanen discloses everything claimed, as applied above (see claim 1) additionally, Tarnanen discloses the short text messaging device of the recipient user is uniquely identified by a short text message address, a message destination tag being included with the originating short text message and identifying the recipient user with an indication other than the short text message address (which reads on column 6 lines 27-37).

***Regarding claim 3***, Tarnanen discloses everything claimed, as applied above (see claim 2) additionally, Tarnanen discloses storing with the short text messaging application the message destination tag in association with short text message address of the short text messaging device of the recipient user (which reads on column 2 lines 10-16).

***Regarding claim 4***, Tarnanen discloses everything claimed, as applied above (see claim 2) additionally, Tarnanen discloses the message destination tag is included in the originating short text message sent by the originating user (which reads on column 2 lines 10-16).

**Regarding claim 5**, Tarnanen discloses everything claimed, as applied above (see claim 4) additionally, Tarnanen discloses the message destination tag is located in a predefined location in the originating short text message (which reads on column 2 lines 47-56).

**Regarding claim 6**, Tarnanen discloses everything claimed, as applied above (see claim 1) additionally, Tarnanen discloses the short text messaging device of the originating user is uniquely identified by a short text message address, the message thread identifier being included with the reply short text message and allowing identification of the originating user with an indication other than the short text message address of the originating user messaging device (which reads on column 6 lines 27-37).

**Regarding claim 7**, Tarnanen discloses everything claimed, as applied above (see claim 1) additionally, Tarnanen discloses at least one of the short text messaging devices of the originating and recipient users is a mobile telephone (which reads on column 1 lines 54-55).

**Regarding claim 8**, Tarnanen discloses everything claimed, as applied above additionally, Tarnanen discloses a short text messaging system of a mobile telephone network having a short message service center (SMSC) that directs short text messages between short text messaging devices (MT) (which reads on column 5 lines 47-63), the improvement comprising: a short text messaging application (GA) that is in a computer readable medium (DB) and that correlates a message thread identifier with short text messages transmitted between short text messaging devices of an originating user and a recipient user (which reads on

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column 6 lines 20-27), the originating user beginning a message thread with an originating short text message that is directed to the recipient user (which reads on column 6 lines 24-35), the message thread identifier identifying messaging addresses for the short text messaging devices of the originating and recipient users (which reads on column 6 lines 54-57).

*Regarding claim 9*, Tarnanen discloses everything claimed, as applied above (see claim 8) additionally, Tarnanen discloses the short text messaging device of a recipient user is uniquely identified by a short text message address, a message destination tag being included with the originating short text message and identifying the recipient user with an indication other than the short text message address (which reads on column 6 lines 27-37).

*Regarding claim 10*, Tarnanen discloses everything claimed, as applied above (see claim 9) additionally, Tarnanen discloses software that is in a computer readable medium (which reads on database DB) for storing with the short text messaging application the message destination tag in association with short text message address of the short text messaging device of the recipient user (which reads on column 6 lines 27-37).

*Regarding claim 11*, Tarnanen discloses everything claimed, as applied above (see claim 8) additionally, Tarnanen discloses the short text messaging device of the originating user is uniquely identified by a short text message address, the message thread identifier being included with the reply short text message and allowing identification of the originating user

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with an indication other than the short text message address (which reads on column 1 lines 54-63).

***Regarding claim 12***, Tarnanen discloses everything claimed, as applied above (see claim 11) additionally, Tarnanen discloses software in a computer readable medium for storing with the short text messaging application the message originating tag in association with short text message address of the short text messaging devices of the originating user (which reads on column 6 lines 27-37).

***Regarding claim 13***, Tarnanen discloses everything claimed, as applied above (see claim 8) additionally, Tarnanen discloses short text messaging application resides in a network portal that is accessible by a short message service center (which reads on column 5 lines 21-27).

***Regarding claim 14***, Tarnanen discloses everything claimed, as applied above (see claim 8) additionally, Tarnanen discloses the message thread identifier correlates short text messages transmitted between the short text messaging devices of the originating user and plural recipient users (which reads on column 1 lines 53-63).

***Regarding claim 15***, Tarnanen discloses everything claimed, as applied above (see claim 1) additionally, Tarnanen discloses computer readable medium (which reads on database DB), a short text messaging application data structure supporting identification of a thread of short text messages in a mobile telephone network short text messaging system (which reads on column 6

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lines 27-37), comprising a short text message thread identifier that identifies the thread of short text messages (which reads on column 6 lines 59-65); and an identifier for an originating message user (which reads on column 7 lines 2-6); and an identifier for a recipient message user (which reads on column 7 lines 1-3).

***Regarding claim 16***, Tarnanen discloses everything claimed, as applied above (see claim 15) additionally, Tarnanen discloses the identifiers for the originating and recipient message users correspond to short message addresses for short text message devices associated with the originating and recipient message users (which reads on column 6 lines 27-37).

***Regarding claim 17***, Tarnanen discloses everything claimed, as applied above (see claim 15) additionally, Tarnanen discloses the identifier for the originating message user includes an originating tag and a separate short message address for a short text message device associated with the originating user (which reads on column 6 lines 27-37).

***Regarding claim 18***, Tarnanen discloses everything claimed, as applied above (see claim 15) additionally, Tarnanen discloses the identifier for the recipient message user includes a destination tag and a separate short message address for a short text message device associated with the recipient user (which reads on column 6 lines 27-37).

***Regarding claim 19***, Tarnanen discloses everything claimed, as applied above additionally, Tarnanen discloses a mobile telephone network short text messaging system, a



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method of associating a message from a message originator having a first network address with plural message recipients that each have a unique network address to facilitate replies to the message (which reads on column 2 lines 10-16), comprising generating a message thread identifier that identifies the message and is of fewer digits than the first network address (which reads on column 6 lines 27-37); populating a data store with association information that includes the message thread identifier in correlation with the first network address and the unique network address of each of the plural message recipients (which reads on column 4 line 67 and column 5 lines 1- 6); transmitting the message to each of the plural message recipients with the message thread identifier (which reads on column 2 lines 10-16); and transmitting a reply message from at least one of the plural message recipients according to the message thread identifier so that the reply message is delivered to the message originator and each of the other message recipients by virtue of the association information in the data store (which reads on the abstract).

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (703)305-0104. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika Gary can be reached on 703-308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith

June 25, 2004

  
ERIKA GARY  
PATENT EXAMINER